

General Session Minutes
State Board of Registration for Professional Engineers
November 13, 2018

The West Virginia State Board of Registration for Professional Engineers met at their office in Charleston on Tuesday, November 13, 2018. Those present for all or part of the meeting were:

Bhajan S. Saluja	President
Garth E. Thomas	Vice-President
Larry Nottingham	Secretary
L.A. Gates	Member
Edward L. Robinson	Member
Lesley L. Rosier-Tabor	Executive Director
Aaron M. Armstrong	Board Investigator
Edward Eagloski	Board Counsel

The meeting was called to order at 9:10am. President Saluja opened the meeting by extending his gratitude to the Board for allowing him to serve as the Board's President. The Board meeting minutes for September 18, 2018 were reviewed. A motion to approve the minutes was made by Dr. Nottingham, seconded by Mr. Robinson. Motion carried.

The Board budget summaries for September and October 2018 were received and reviewed, as well as the PCard transactions for the same months. Ms. Rosier presented the FY 2019 budget report and answered Board member questions, including any regarding the detailed OASIS reports and supporting documentation.

A motion to approve the budget, current expenditures, and purchasing card transactions was made by Mr. Robinson, seconded by Mr. Gates. Motion carried.

Ms. Rosier presented the Executive Director's report and addressed all Board questions and comments:

- Ms. Rosier reported that 71 PE applications were received, 70 applications were accepted and a final total of 65 registered with NCEES and ordered exams for the October 2018 test date, with results expected from NCEES within approximately 3-4 weeks.
- The Board reviewed the NCEES plan to convert all PE exams to computer based testing (CBT).
- Ms. Rosier discussed upcoming NCEES travel for national committee meetings and the 2019 Board President's Assembly.
- Board member Robinson indicated he will be attending the required Licensing Board State Auditor training on November 27th. Ms. Rosier indicated staff and counsel will also attend.
- Ms. Rosier discussed the Board Newsletter distribution for fall of 2019 and reminded members to begin developing newsletters article ideas and content.

- Ms. Rosier discussed the recent beta testing for the upcoming 2019-2020 PE license renewal and the ongoing work with the vendor programmers prior to going “live” no later than December 1st. Additionally, Ms. Rosier discussed the staff’s preparation for the upcoming renewal season and distributed an example of the renewal postcard notice that will be sent to all registrants before the go-live date.

A motion was made by Mr. Thomas, seconded by Dr. Nottingham, to approve attendance and travel for Board members, staff and counsel to the activities as discussed and outlined in the Executive Director’s report and the updated 2018-2019 calendar. Motion carried.

Prior to entering into Executive Session, the Board Investigator provided the details of the settlement of complaints C2018-23, C2018-24, C2019-02, C2019-03, and C2019-05. The consent orders will be posted on the Board’s website within a reasonable time.

Mr. Thomas made a motion to enter into Executive Session at 9:40 am, seconded by Dr. Nottingham. Motion carried. It is noted that Mr. Robinson is recused from, and left the room for discussion of C2019-07, Ms. Rosier requested, and was approved, to leave the room for discussion of C2019-09, and Mr. Armstrong requested, and was approved, to leave the room for discussion of C2019-08. These three individuals will not be a part of any investigation, discussion, or ruling relative to these respective matters.

Mr. Robinson made a motion, seconded by Dr. Nottingham, to move into general session at 11:50 am. The motion carried, and the Board took the following action:

- After due and mature consideration, Mr. Robinson made a motion, seconded by Dr. Nottingham, to deny Respondent’s request for modification of the board’s disciplinary action levied in C2015-10 and to grant, in part, the Respondent’s compliance plan. Motion carried.
- Dr. Nottingham made a motion, seconded by Mr. Gates, to notice C2018-20 for hearing during the January 2019 Board meeting. Motion carried.
- Mr. Gates made a motion, seconded by Dr. Nottingham, to set C2019-06 for hearing during the January 2019 Board meeting if not settled. Motion carried.
- Mr. Robinson made a motion, seconded by Mr. Thomas, to set C2019-09 for hearing during the March 2019 meeting if not settled. Motion carried.
- Mr. Robinson made a motion, seconded by Mr. Gates, to move I2019-05 to complaint and to set said complaint for hearing during the May 2019 meeting, if not settled. Motion carried.
- Dr. Nottingham made a motion, seconded by Mr. Gates, to notice C2019-11 for hearing during the March 2019 meeting if not settled. Motion carried.
- Dr. Nottingham made a motion, seconded by Mr. Gates, to set C2019-12 for hearing during the March 2019 meeting if not settled. Motion carried.
- Mr. Gates made a motion, seconded by Dr. Nottingham, to move I2019-04 to complaint and to set said complaint for hearing during the May 2019 meeting, if not settled. Motion carried.

- Mr. Thomas made a motion, seconded by Mr. Gates, to dismiss C2019-07. Motion carried.

Upon motion by Mr. Robinson, seconded by Mr. Thomas, the Board approved the following special case files:

- Mahmood Alomar
- James M. Damron
- Maria L. Hardy

Upon motion by Mr. Robinson, seconded by Mr. Gates, the Board upheld the denial for the following special case file:

- James V. Ouellet

The Board reviewed the call for nominations for NCEES National Service Awards.

The Board reviewed the agenda for the upcoming NCEES Board President's Assembly that Mr. Saluja and Ms. Rosier will attend in Atlanta, GA on February 9, 2019. President Saluja indicated he would again ask the Board to provide input or additional questions regarding agenda items at the Board's January 2019 meeting.

The Board reviewed a September 2018 FTC report concerning the "Options to Enhance Occupational License Portability" provided by Jerry Carter, outgoing NCEES Executive Director.

Ms. Rosier presented a recent NCEES ACCA survey question concerning the issue of proxy voting for NCEES annual meetings, whereas a majority of the NCEES member Boards were against the idea. The WV PE Board concurred with the majority, noting that proxy voting could present a number of possible problems.

The Board recessed at 12:00 pm and held an informal luncheon meeting with representatives from the WV Professional Land Surveyors Board (WVPLS). Guests included the WVPLS Board's new Executive Director Kristi Justice as well as Board members Gary Facemyer and Tom Rayburn. The purpose of this informal meeting was to discuss common issues, possible overlap problems and begin a path forward, pledging to work together in the future in the best interests of the public health, safety, and welfare.

After the working lunch, the Board reconvened the general session. Ms. Rosier discussed the proposed 2020 Legislative session plan to work with counsel to submit legislative rule changes, mainly dealing with the de-coupling of the work experience and PE examination requirements for licensure.

The Board reviewed email correspondence from the Huntington Engineers Club regarding a recommendation for future Board member consideration.

The Board reviewed and discussed the agenda for the upcoming 2018 Required Annual Seminar for Chapter 30 Licensing Boards hosted by the WV State Auditor's office. Again, the Board has registered 5 participants to include Board member Robinson, 3 staff members and counsel.

Based upon a motion by Mr. Robinson, seconded by Mr. Gates, the Board approved the purchase of the regular booth space and program CE documentation page for the 2019 Construction and Design Expo to be held at the Charleston Coliseum and Civic Center March 20-21, 2019. Motion carried.

Ms. Rosier discussed the upcoming PE renewal game plan and reminded the Board that renewal postcard notifications will be sent out the week of November 26, 2018.

The Board reviewed the NSPE Board of Directors update discussing US PE practice barriers in Canada.

Ms. Rosier discussed the proposed 2019 Calendar of Events and requested Board members contact her with any potential schedule conflicts as soon as possible.

Upon motion by Dr. Nottingham, seconded by Mr. Robinson, the Board voted to adjourn the meeting at 2:00 pm. The next Board meeting will be January 23, 2019, in Charleston. The Board members will be compensated one day per diem plus travel expenses.

Bhajan S. Saluja, P.E.
Board President

Larry C. Nottingham, P.E.
Board Secretary